



CITY OF FREDERICKSBURG, VIRGINIA

CITY COUNCIL

# MINUTES

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. BRADFORD C. ELLIS, WARD ONE  
HON. DR. TIMOTHY P. DUFFY, WARD THREE  
HON. CHARLIE L. FRYE, JR., WARD FOUR

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**February 9, 2016**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, February 9, 2016, beginning at 7:30 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

**Also Present.** City Manager Beverly R. Cameron, Assistant City Manager Mark W. Whitley, City Attorney Kathleen Dooley, Assistant Public Works Director David King and Clerk of Council Tonya B. Lacey.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Officer Leo Manster at this evening's meeting.

**Citizen Comment.** The following speakers came forward to participate in the citizen comment portion of this evening's meeting.

**Robert Courtnage**, 407 Fauquier Street, Chairman of the Clean and Green Commission, thanked the Council that attended public meeting on the trees along



Washington Avenue. There were about 175 people in attendance and about 50 speakers. He thanked staff that was involved in the meeting and he noted how well the staff handled the meeting. He reminded the public that public comments were being accepted until February 15 and he would come back with updates in the future.

**Kevin Brown**, 460 Riverside Drive, suggested the City use social media for informing the public about meetings and other events. He said social media sites such as Facebook would be an easy way to reach many people at once.

**Roy Perry (D16-64)**, 1032 Conway Road, 22405, thanked the Council for working with him on the commemorative memorial at Smith Run. He requested that Council give him a small space somewhere along Sophia Street to do a commemorative memorial for the Black Confederate soldier that was written about in the Harpers Weekly Magazine. See Doc 16-64 for more information.

**Susan Brown**, 460 Riverside Drive, spoke in regards to the meeting that was held on the Washington Avenue Trees. She wanted it to be clear that those who spoke did not want it to seem like they did not want any trees in the City. She said that was not the message they wanted to send. She noted places that needed trees if they City were looking for places to plant trees, the Food Lion Shopping Center at Fall Hill and Route 1 and she asked if homeowners could take on trees on their property and be responsible for the upkeep of the tree. She said the City could meet its mandate without hiding the treasures of the City.

**Nicholas Ignacio**, 2020 Lafayette Boulevard, came to introduce his company, Electronic Threat Alert. The company is the first cyberspace monitoring company in the



world. They will monitor for cyber bullying, threats, violence, defamation, terror activity and many other types of threats.

**Rygu Mau Muhammedd**, 1112 Caroline Street, stated that the City had been labeled as anti-Islamic in front of the nation on the Laura Ingraham Radio Show and he suggested ways for turning this around.

**Council Agenda Presented.** The following items were presented to Council.

7A. Public Safety – Lincoln Terminal Expansion – Councilor Frye

7B. Washington Avenue Tree Plan – Vice-Mayor Withers

7C. Rappahannock Area Office on Youth Office Space – Councilor Duffy

7D. Local Transportation – Councilor Kelly

7E. Summer Calendar – Councilor Duffy

**Public Safety – Lincoln Terminal** – Councilor Frye stated that the 2013 Planning Commission records would show the initial concerns with the Lincoln Terminal safety. His concern was if there was a spill on Route 2 and the road had to be shut down there would not be an access to Mayfield if there were an emergency in Mayfield or at the fairgrounds. He would like to see some sort of emergency access and evacuation plan for the residents.

Councilor Kelly and Vice-Mayor Withers suggested Councilor Frye meet with the Fire and Police departments because they have a plan that Spotsylvania would respond if this were the case. They also reminded Councilor Frye of the additional foam truck that will be placed off site for emergencies, but Spotsylvania had not been trained on the use of the foam truck yet. Councilor Kelly said public safety members would be getting together to discuss how they would be handling hazardous materials issues regionally. He also



updated Council on the improvements at Beulah Salisbury Road and Virginia Department of Transportation would be preparing to start a study to bring forward in the next round of HB2 funding.

Councilor Frye wanted to be clear that the residents did not know what to do in the event of an emergency and that information needed to be shared with the residents.

**Washington Avenue Tree Plan** – Vice-Mayor Withers asked Assistant Director of Public Works David King to give an update on the meeting that took place February 1 on the trees on Washington Avenue.

Mr. King stated that approximately 175 people attended the meeting and 50 gave comments. The City would be accepting comments through February 15, once the comment period was over they would be submitted to the Clean and Green Commission and the Design Team for review and to determine what changes needed to be made. The review team would report to the Clean and Green Commission and the Recreation Commission. He said he wanted to be sure the various commissions were involved and staff would make a recommendation to move forward.

Councilor Kelly asked who would be on the committee and whether the Council would have any say in the Design Team. Mr. King said he was not sure yet and he would bring it to Council for approval if that was Council's wish. Mr. Kelly suggested HFFI be involved because this area was on the National Historic Register. He suggested the team bring more than one tree plan option to the table and he would like the community to decide on the best plan.

Mayor Greenlaw stated that it was her understanding that the community wanted a Review Team that consisted of people from different areas of expertise and a Washington



Avenue representative. Mr. King said that was correct and he agreed that this should be a community process and having options was worth discussing.

Councilor Duffy said he would be comfortable with the team coming to a consensus on what they thought would be a good fit for the City.

Councilor Devine was pleased with the turnout at the meeting. The point of the meeting was to gather information and have people that were familiar with landscape design, historian, preservationist and residents take another look at the area. She felt it was best to leave the work in the committee's hands along with Mr. King. She was comfortable allowing Mr. King to spear head the group. She also noted that Tree Fredericksburg does work with the City on planting in private areas as well. The Mayor also clarified that the City could not plant on privately owned shopping center unless they asked.

Councilor Kelly stated again that he believes the community wants to make the decision; therefore, they should be presented with options.

**Rappahannock Area Office on Youth Office Space** – Councilor Duffy informed that Council that the Rappahannock Are Office on Youth would soon be in need of new office space because the space they were currently renting from the Stafford Economic Development Authority was being sold. They were supposed to have the first right of refusal but that did not happen.

**Local Transportation** – Councilor Kelly updated Council on the action taken on Augustine Avenue and Jefferson Davis Highway for funding. VDOT said they do not want to only look at Augustine Avenue and Jefferson Davis but they would like to look at that and four to five streets down. This would be approximately a \$250,000 study and the



money is not available to do that so this project would be pushed back. He noted that when the initial study was done for the I-95 changes they were able to get money from others who were also going to benefit from the changes. This change however was needed because of Eagle Village and he hoped the Foundation would help with some of the costs. The plans on Lafayette Boulevard seem to have some interest and they hope to get that moving as well as Beulah Salisbury and they both would be before FAMPO at the next meeting.

Councilor Kelly also addressed Senate Bill 477 and said it may pass Senate and move to the House.

**Summer Calendar** – Councilor Duffy asked if the Council had planned to hold the second meeting in July and Mayor Greenlaw said Council was in agreement not to hold that meeting.

**City Manager's Consent Agenda Accepted for Transmittal as Recommended (D16-65 thru D16-69).** Following review and as recommended Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devein, Duffy, Ellis, Frye and Kelly. Nays (0).

- Ordinance 16-04, Second Read, Authorizing the City Manager to Execute a Deed of Lease Agreement with Stafford County and Milestone Communication Management III, Inc. for Construction and Operation of a Telecommunications Tower at the Regional Landfill, 489 Eskimo Hill Road, Stafford, VA 22554 (D16-65).



- Ordinance 16-05, Second Read, Confirming the City Manager's Declaration of a Local Emergency Due to the Imminent Threat of Disaster Posed by the Snow Storm (D16-66).
- Resolution 16-15, Declaring the End of the Local Emergency Due to the January Snow Storm (D16-67).
- Resolution 16-16, First Read, Amending the Fiscal Year 2016 Budget for Activities Related to Insurance Recoveries (D16-68).
- Transmittal of Boards and Commission Minutes
  - Planning Commission – January 13, 2015 (D16-69).

**Adoption of Minutes (D16-70 thru D16-71).** Councilor Kelly moved approval of the January 12 & 26, 2016 Work Sessions and the January 26, 2016 Public Hearing and Regular Session minutes; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye, and Kelly. Nays (0).

**Resolution 16-17, First Read Approved, Amending the Fiscal Year 2016 Budget to Appropriate School Fund Balance in the School Operating and School Grants Funds (D16-72 thru D16-76).** After staff presentation Councilors Duffy and Devine disclosed that they were members of a business, profession, occupation or group of three or more members affected by the transaction, namely they are employees of the Fredericksburg Public School system. Councilors Ellis and Frye disclosed that their spouses were members of a business, profession, occupation or group of three or more members affected by the transaction, namely they are employees of the Fredericksburg Public School system.



Vice-Mayor Withers moved to approve Resolution 16-17, on first read, amending the fiscal year 2016 budget to appropriate school fund balance in the school operating and school grants funds; motion was seconded by Councilor Ellis and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly.

**City Manager's Report and Council Calendar (D16-77 thru D16-78).** City Manager Cameron asked if there were any questions regarding the Manager's report or the Council Calendar. Activities highlighted on the report were as follows: Historic Renwick Courthouse Complex Survey, Elevator Modernizations and Renovations Schedule, City Hires Procurement Agent, College Heights Water Improvement Project Provides Significant Increase in Fire Protection, City Staff Conducts Review of Snow Removal Operations and New R-Board Landfill Cell.

College Heights Water Improvements – as part of the 2013 PPEA proposal W.C. Spratt recommended adding a sixteen inch water interconnection to the Courtland pressure zone and extending a new sixteen inch water main along Dandridge Street. They also recommended installing an eight inch water main along Payne Street. These improvements have increased the water flow throughout College Heights and it has improved water flow through College Avenue.

Renwick Building Historic Structures Report – there will be a work session at the February 23 meeting to review the report.

Proffer Study – work continues on this study and the final draft would be brought to Council in the near future.



Councilor Duffy complimented staff and Council on the College Heights water improvements project.

Councilor Devine said she had received concerns about the placements of the new fire hydrants. One home in particular, the hydrant was placed directly in front of the person's home and now they cannot park in front of their home. Mr. Cameron said he would address it with the Public Works director.

Mayor asked the City Attorney about the proffer bill that was going through the General Assembly. Ms. Dooley explained that the latest news was that the bill had run into some trouble on the house side with some of the local legislatures from Spotsylvania and Stafford Counties. The bill that was being considered by the General Assembly would negatively affect the City's proffer study in regards to the ability to collect cash proffers from new residential development to pay into the costs of school building projects. The bill had been worked on by the Home Builders Association over the summer but they did not reach out to local governments for comments on the bill. She explained that this was very damaging to localities especially for the City who has planned ahead for their facilities. She said the City testified against the bill in the House and it has run into a little trouble on the House floor and they would continue to work against the bill. The Mayor encouraged the public to contact their legislatures regarding this bill.

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw Declared the meeting officially adjourned at 8:38 p.m.

Mary Katherine Greenlaw  
Mary Katherine Greenlaw, Mayor

Tonya B. Lacey  
Tonya B. Lacey, Clerk of Council, CMC

**APPROVED**  
**02-23-16**



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